

R E M A R K S

In the Office Action, claim 16 was rejected under 35 USC 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 16 was rejected under 35 USC 112, second paragraph, as being indefinite for failing to point out and claim the subject matter of the application as stated in the Office Action. Claim 1 was similarly rejected for failure to provide an antecedent basis as set forth in point 5 of the Office Action. OK

Claims 1-2, and 4-15 were rejected under 35 USC 103(a) as unpatentable over Pasco, US Patent No. 4,323,951, in view of Ogura et al, US Patent No. 5,915,822 and Abileah et al, US Patent No. 5,629,784 for the same reasons as the previous Office Action dated July 30, 2002.

Reconsideration of the rejections is requested respectfully in view of the amendment and the argument herein.


With respect to the rejections under 35 USC 112, claim 1 is amended to clarify the language and overcome the matter of the antecedent basis. Claim 16 is clarified in respect to the description of the display by stating that the front surface of the polarizing filter is the front surface of the display. JL

✓      ✓      ✓  
The combination of Pasco, Ogura and Abileah does not suggest the subject matter claimed in the independent claims 1 and 16. Pasco only describes a display comprising translucent characters 16 on opaque screen (column 2, lines 61-65). Ogura describes a dial plate 18 with a cut 25, in which is positioned a LCD. As can be seen from Ogura Figs. 3 and 7, the front plane of the LCD is in the same plane as the front surface 13a of the light transmitting board 13. Fig. 3 of Ogura shows that dial plate 18 corresponds to the film of the dial assembly of present claims 1 and 16, and is on the front surface 13a of Ogura. Every translucent LCD comprises a front polarizing filter, so that a front polarizing filter is understood to be included in Ogura's LCD, with the result that the Ogura polarizing filter is not in the same plane as the Ogura dial, but is located behind the dial plane (Ogura Fig. 3). Since the dial of Ogura corresponds to the film of the dial display of the present invention, there is no hint or suggestion from Ogura leading the person skilled in the art to construct the present invention. Furthermore, claim 1 calls for a continuity of surface in relation to the screen and the waveguide (next to the last paragraph), and claim 16 calls for continuity of surface in relation to the display and the dial assembly (next to the last paragraph), with corresponding language appearing in claim 11, such continuity of surface being absent in Ogura. Abileah describes only a display with illumination without any dial so that these teachings do not lead to the present invention, too. Therefore, a combination of the teachings of the three references would not suggest the present invention, and this argument is believed to overcome the rejections under 35 USC 103.

In the event there are further issues remaining the Examiner is respectfully requested to telephone attorney to reach agreement to expedite issuance of this application.


Since the present claims set forth the present invention patentably and distinctly, and are not taught by the cited art either taken alone or in combination, this amendment is believed to place this case in condition for allowance and the Examiner is respectfully requested to reconsider the matter, enter this amendment, and to allow all of the claims in this case.

Respectfully submitted,  
Peter Brandt, et al

by:   
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the accompanying Amendment Upon Final Rejection is being facsimile transmitted to the Patent Office on July 30, 2003.

  
Signed by Martin A. Farber

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